Montana Department of Tish, Wildlife & Parks



Region One 490 North Meridian Rd. Kalispell, MT 59901 (406) 752-5501 FAX: 406-257-0349 Ref:DV131.97 September 30, 1996

TO: Environmental Quality Council, Capitol Building, Helena, 59620-1704
Dept. of Environmental Quality, Metcalf Bldg., PO Box 200901, Helena, 59620-0901
Montana Fish, Wildlife & Parks

Director's Office Fisheries Division Regional Supervisor Parks Division
 Wildlife Division
 Lands Section

Legal Unit Karen Zackhiem, Enforcement
Montana Historical Society, State Historic Preservation Office, 225 North Roberts, Veteran's

Memorial Building, Helena, 59620-1201

Montana State Library, 1515 East Sixth Avenue, Helena, 59620-1800

Jim Jensen, Montana Environmental Information Center, PO Box 1184, Helena, 59624

George Ochenski, PO Box 689, Helena, 59624

Montana Department of Livestock, Game Farm Applications, 301 Roberts, Helena 59620 Donald Kern, Program Director, Montana River Action Network, PO Box 383, 30 N. Last Chance Gulch, Helena, 59624

Leo & Ellen Hargrave, 300 Thompson River Rd., Marion, 59925

Flathead Co. Commissioners, Flathead Co. Courthouse, 800 S. Main, Kalispell, 59901

Flathead Regional Development Office, 723 Ave. E., Rm. 414, Kalispell, 59901

Senator John Harp, 53 Willow Dr., Kalispell, 59901-2834

Representative William E. Boharski, 1433 5th Ave., Kalispell, 59901-5521

Flathead Co. Library, 247 First Ave. E., Kalispell, 59901

Flathead Co. Library, Marion Branch, 205 Gopher Ln., Marion, 59925

Ladies and Gentlemen:

The enclosed Environmental Assessment (EA) has been prepared for a proposed elk game farm for Leo & Ellen Hargrave, Hargrave Cattle & Guest Ranch, and is submitted for your consideration. Questions and comments will be accepted until Monday, October 24, 1996. Please direct you questions or comments to Game Warden Brian Sommers at the above address or e-mail them to Noemí Barta and she will forward to Brian. Thank you.

Sincerely.

Dan Vincent

Regional Supervisor

/nb Enclosure

DRAFT

ENVIRONMENTAL ASSESSMENT CHECKLIST

PART I. GAME FARM LICENSE APPLICATION

Montana Fish, Wildlife & Park's authority to regulate game farms is contained in sections 87-4-406 through 87-4-424, MCA and ARM 12.6.1501 through 12.6.1519

1. Name of Project: Hargrave Cattle & Guest Ranch

Application Date: 06/10/96

2. Name, Address and Phone Number of Applicant(s):

Leo & Ellen Hargrave

300 Thompson River Road

Marion, MT 59925 (406) 858-2284

3. If Applicable:

Estimated Construction/Commencement Date: August 1996

Estimated Completion Date: October 1996

Is this an application for expansion of existing facility or is a future expansion contemplated? No

4. Location Affected by Proposed Action (county, range and township):

Flathead County, Sec. 7 & 18, T26, R26

5. Project Size: Estimate the number of acres that would be directly affected that are currently:

(a) Developed:

residential..... ____ acres

(d) Floodplain...

_ acres

industrial..... acres

(e) Productive:

irrigated cropland. ___ acres

(b) Open Space/Woodlands/Areas.... ____ acres

dry cropland..... acres

forestry........... <u>25</u> acres rangeland........ 30 acres

(c) Wetlands/Riparian Areas..... acres

other..... acres

6. Map/site plan: attach a copy of the map submitted with the appli	lication (an 8 1/2" x 11" c) r
larger section of the most recent USGS 7.5' series topographic map)		
boundaries of the area that would be affected by the proposed actio	-	
may be substituted if more appropriate or if required by agency rule.	. If available, a site plan	
should also be attached.		

See attached Maps

7. Narrative Summary of the Proposed Action or Project including the Benefits and Purpose of the Proposed Action:

Applicant proposes to raise 20 elk for a breeding/sale operation and to sell velvet antiers from their bulls.

- 8. Listing of any other Local, State or Federal agency that has overlapping or additional jurisdiction:
 - (a) Permits:

Agency Name Permit Date Filed/#
Department of Livestock

Department of Environmental Quality

(b) Funding:

Agency Name Funding Amount

(c) Other Overlapping or Additional Jurisdictional Responsibilities:

Agency Name Type of Responsibility

Flathead Conservation District

McGregor Cr.

Flathead Weed District

Flathead Regional Development Office

9. List of Agencies Consulted During Preparation of the EA:

Department of Water Quality
State Historic Preservation Office

PART II. ENVIRONMENTAL REVIEW

. Evaluation of the Impacts of the Proposed Action Including Secondary and Cumulative Impacts on the Physical and Human Environment:

PHYSICAL ENVIRONMENT

1. LAND RESOURCES		POTENTIA	CAN IMPACT		
Will the proposed action result in:	UNKNOWN	NONE	MINOR	SIGNIFICANT	BE COMMENT MITIGATED INDEX
a. Soil instability or changes in geologic substructure?		x		·	
 b. Disruption, displacement, erosion, compaction, moisture loss, or over- covering of soil which would reduce productivity or fertility? 			x		N o 1b.
c. Destruction, covering or modification of any unique geologic or physical features?		×			
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		x			
e. Other:					

PROPOSED ACTION:

1b.	Increased compaction will result from increased grazing levels 55 acre parcel.	. This could	result in	decreased	productivity	on
the	55 acre parcel.					

NO ACTION:

COMMENTS: -

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

2. <u>AIR</u>		POTENTI	CAN IMPACT			
Will the proposed action result in:	UNKNOWN	NONE	MINOR	SIGNIFICANT	BE MITIGATED	COMMENT INDEX
a. Emission of air pollutants or deterioration of ambient air quality?		x				
b. Creation of objectionable odors?	,	x				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		x				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		×				
e. Other:						

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NO ACTION:

COMMENTS:

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Air Resources (Attach additional pages of narrative if needed)

3. <u>WATER</u>		POTENTIA	CAN IMPACT			
Will the proposed action result in:	UNKNOWN	NONE	MINOR	SIGNIFICANT	BE MITIGATED	COMMENT INDEX
a. Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?			X		No	3a.
b. Changes in drainage patterns or the rate and amount of surface runoff?			×		No	3b.
c. Alteration of the course or magnitude of flood water or other flows?		×				
d. Changes in the amount of surface water in any water body or creation of a new water body?		x				
e. Exposure of people or property to water related hazards such as flooding?		x.				
f. Changes in the quality of groundwater?		x				
g. Changes in the quantity of groundwater?		x				
h. Increase in risk of contamination of surface or groundwater?		×				
i. Violation of the Montana non- degradation statute?		×		***		
j. Effects on any existing water right or reservation?		×				
k. Effects on other water users as a result of any alteration in surface or groundwater quality?		×				
I. Effects on other water users as a result of any alteration in surface or groundwater quantity?		x				
m. Other:						

PROPOSED ACTION:

3a. The proposed pasture comes within 50 feet of McGregor Creek. It is possible that during spring runoff or during a severe thunderstorm, fecal matter could be washed into the creek. It is anticipated that if this event does occur, the amount of fecal matter would be small. However, the two irrigation ditches which flow through the pasture are classified as state water. Since the likelihood of degregation to these two irrigation ditches is much higher, a concentrated feeding operation permit from the Department of Environmental Quality must be obtained by the applicant before a game farm license will be issued.

3b. Due to soil compaction from increased grazing levels a small amount of surface runoff into McGregor Creek may occur during spring runoff or during periods of heavy rain. However, the amount of the runoff from this operation is expected to be minor due to the relative flat terrain and low concentration of grazing animals.

NO ACTION:

COMMENTS:

arrative Description and Evaluation of the Cumulative and Secondary Effects on Water Resources (Attach additional pages of narrative if needed):

4. <u>VEGETATION</u>		POTENTIA	CAN IMPACT		
Will the proposed action result in:	UNKNOWN NONE MINOR SIGNIFICANT		BE COMMENT MITIGATED INDEX		
a. Changes in the diversity, productivity or abundance of plant species?			x .	~.*	No 4a.
b. Alteration of a plant community?			×		No 4b.
c. Adverse effects on any unique, rare, threatened, or endangered species?		×			
d. Reduction in acreage or productivity of any agricultural land?		x			
e. Establishment or spread of noxious weeds?			х		No 4e.
f. Other:					

PROPOSED ACTION:

41. & 4b. Soil compaction along with grazing of confined animals will likely alter the diversity and abundance of certain plant species.

4e. Disturbance to soils and the possible loss of vegetation ground cover may allow the encroachment of noxious weeds such as Canada Thistle and Spotted Knapweed. The amount of area which could be impacted will be small.

NO ACTION	:
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COMMENTS:

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Vegetation Resources (Attach additional pages of narrative if needed):

5. FISH/WILDLIFE	FE POTENTIAL IMPACT				ÇAN IMPACT	
Will the proposed action result in:	UNKNOWN	NONE	MINOR	SIGNIFICANT	BE MITIGATED	COMMENT INDEX
a. Deterioration of critical fish or wildlife habitat?		×				
b. Changes in the diversity or abundance of game species?			x		No	5b.
c. Changes in the diversity or abundance of nongame species?	x				Yes	5 c.
d. Introduction of new species into an area?		×				
e. Creation of a barrier to the migration or movement of animals?		х				
f. Adverse effects on any unique, rare, threatened, or endangered species?		×				
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?		x				
h. Other:						

PROPOSED ACTION:

NO ACTION:

COMMENTS:

5b. Game species will be eliminated from 55 acres of habitat that is currently available. Although that is a small acreage, relative to the total available habitat in the area, it will be an effect that cannot be mitigated.

5c. Nongame species, primarily breeding birds and small mammals could be affected if the stocking level is set at a level which reduces the abundance, distribution, or vigor of native vegetation. This effect could be reduced by maintaining appropriate stocking levels.

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Fish/Wildlife Resources (Attach additional pages of narrative if needed):

PROVIDE NARRATIVE DESCRIPTION FOR THE FOLLOWING:

Wildlife use of the area and potential for through-the-fence contact with game farm animals (consider year-around use, traditional seasonal habitat use, and location of travel routes and migration corridors).

The project is located in moderate to high density year-long white-tailed deer range and low/moderate elk year-long range. Mule deer, moose, black bear and mountain lion use is common in the general area on a year-long basis. Wolves may also frequent the area. Wild elk could be attracted to the site, especially when game farm cow elk are in estrus. Coyotes are common in the area and could potentially make contact with captive elk. Through-the-fence contact may be rare, but could be expected between game farm animals and wild ungulates and/or predators.

Disease and parasite transmission can occur via nose-to-nose, nose-to-other body parts, nose-to-soil and vegetation along the fenceline. White-tailed deer, native elk, black bears, mule deer and coyotes may move along the fence perimeter. They could come in contact with game farm elk food, feces, soil, or actual body parts.

The risk of through the fence contact can be reduced if: 1. salt, hay and feed are kept to the interior of the game farm and game farm animals are not fed along the fence perimeter; 2. if game farm operators use commonly accepted sanitation measures and remove excess feed, dead animals or other wildlife attractants to an area not accessible to wildlife; and 3. the game farm operator regularly patrols fences to determine if any wild game animals are gaining access to the game farm. If fence integrity appears to be a problem, additional fence requirements may be necessary.

Potential for escape of game farm animals or ingress of wildlife (consider site-specific factors that could reduce the effectiveness of perimeter fences built to standards outlined in Rule 12.6.1503A, including steepness of terrain, winter snow depths/drifting, susceptibility of fences to flood damage, etc.).

The 55 acre project area is located on relatively flat pasture ground. Moderate to large western larch, Douglas-fir, and Ponderosa pine trees are located within the enclosure and long the perimeter. Because of the presence of trees within and around the perimeter, the windthrow of trees onto the fence is a distinct possibility.

Snow levels are expected to reach 1-2 feet in the project area. Limited drifting may occur.

Proportion (%) of the total habitat area currently used by wildlife that will be enclosed or otherwise impacted.

The project area is extremely small (55 acres) when compared to available wildlife habitat in the Upper Thompson River drainage. The proportion, less than 1 percent of habitat lost to this project, will have negligible impact to area wildlife. The proposed project will not block any significant migration corridors.

COMMENTS:

6. NOISE EFFECTS		POTENTIA	CAN IMPACT			
Will the proposed action result in:	UNKNOWN	NONE	MINOR	SIGNIFICANT	BE MITIGATED	INDEX
a. Increases in existing noise levels?		· x				
b. Exposure of people to severe or nuisance noise levels?		x				
c. Other:	·					

PROPOSED ACTION:		
NO ACTION:		

Narrative Description and Evaluation of the Cumulative and Secondary Effects of Noise Resources (Attach additional pages of narrative if needed)

7. LAND USE		POTENTIA	CAN IMPACT		
Will the proposed action result in:	UNKNOWN	NONE	MINOR	SIGNIFICANT	BE COMMENT MITIGATED INDEX
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		x		·	
b. Conflict with a designated natural area or area of unusual scientific or educational importance?		×			
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		×			
d. Conflict with any existing land use that would be adversely affected by the proposed action?		×			
e. Adverse effects on or relocation of residences?		×			
f. Other:					

PROPOSED ACTION:

NO ACTION:

COMMENTS:

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Use (Attach additional pages of narrative if needed):

10. PUBLIC SERVICES/TAXES/ UTILITIES		POTENTIA	CAN IMPACT			
Will the proposed action result in:	UNKNOWN	NONE	MINOR	SIGNIFICANT	BE MITIGATED	COMMENT
a. A need for new or altered government services (specifically an increased regulatory role for FWP and Dept. of Livestock)?		x				
b. A change in the local or state tax base and revenues?		x				
c. A need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		×				
d. Other:						

P	R	O	P	0	S	E	D	Α	CT	IC	N	:

NO ACTION:

COMMENTS:

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Public Services/Taxes/Utilities (Attach additional pages of narrative if needed):

11. AESTHETICS/RECREATION		POTENTIA	CAN IMPACT COMMENT			
Will the proposed action result in:	UNKNOWN	NONE	MINOR	SIGNIFICANT	BE MITIGATED	COMMENT
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		×				
b. Alteration of the aesthetic character of a community or neighborhood?		x				
c. Alteration of the quality or quantity of recreational/tourism opportunities and settings?		×	ľ			
d. Other:						

PROPOSED ACTION:

NO ACTION:

COMMENTS:

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Aesthetics/Recreation Resources (Attach additional pages of narrative if needed):

12. <u>CULTURAL/HISTORICAL</u> <u>RESOURCES</u>		POTENTIA	CAN IMPACT			
Will the proposed action result in:	UNKNOWN	NONE	MINOR	SIGNIFICANT	BE MITIGATED	COMMENT INDEX
a. Destruction or alteration of any site, structure or object of prehistoric, historic, or paleontological importance?		×				
b. Physical change that would affect unique cultural values?		x		***	17 20 20	
c. Effects on existing religious or sacred uses of a site or area?		x			12	
d. Other:					7.0	

a. Otner:		
PROPOSED ACTION:		
NO ACTION:		
COMMENTS:		

13. SUMMARY EVALUATION OF SIGNIFICANCE	·	POTENTI				
Will the proposed action, considered as a whole:	UNKNOWN	NONE	MINOR	SIGNIFICANT	CAN IMPACT BE MITIGATED	COMMENT INDEX
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources which create a significant effect when considered together or in total.)		×				
b. Involve potential risks or adverse effects which are uncertain but extremely hazardous if they were to occur?				×	Yes	13a.
c. Potentially conflict with the substantive requirements or any local, state, or federal law, regulation, standard or formal plan?		x				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		x				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		×				
e. Other:						

PROPOSED ACTION:

One of the most controversial issues regarding the proposed project is the potential to expose wild game populations to disease if the perimeter fence would be breached and domestic elk and wild animals interacted.

ALTERNATIVE ACTION:
The potential significant impacts of the proposed action can be mitigated through the measures listed below (see Comments). By taking these actions, the potential significant impacts become minor.

NO ACTION:

Denial of the permit would deny the Hargrave Cattle and Guest Ranch the opportunity to raise game farm elk, primarily as a hobby. It would also allow area wildlife an opportunity to use 55 acres of habitat that would otherwise be excluded to them.

COMMENTS:

13a. The Licensee must construct all fences, quarantine and holding facilities according to minimum standards as prescribed in ARM 12.6.1503A, 1509 and 1510 (see attachment). In addition:

- The Licensee or Manager must report to FWP the ingress of any game animal or any predators of ungulates (e.g. mountain lion, black bear, wolf or coyote) immediately upon the discovery, and the reason for such ingress.
- 2. FWP reserves the right to require fence/gate modifications (such as, but not limited to, double fencing, electrical outriggers or solid board panels) to those portions of fence when problems with tree or snag blowdowns occur that compromise fence integrity, or when the previously constructed fence may prove to be inadequate to prevent ingress or egress of game animals or game farm
- Applicant must obtain approval of a quarantine facility, or plan, from the Department of Livestock 3. prior to the issuance of a game farm license.

Narrative Description and Evaluation of the Cumulative and Secondary Effects (Attach additional pages of narrative if needed):

PART II. ENVIRONMENTAL REVIEW (Continued)

. SUMMARY EVALUATION OF SIGNIFICANCE CRITERIA

a. Does the proposed action have impacts that are individually minor, but cumulatively considerable? (A project may result in impacts on two or more separate resources which create a significant effect when considered together or in total.)

No

- b. Does the proposed action involve potential risks or adverse effects which are uncertain but extremely hazardous if they were to occur?
 - Yes. The potential risk is if game farm animals were to carry a debilitating wildlife disease such as, but not limited to, tuberculosis or meningeal worm and then come into contact with wild animals; the disease could be spread into wild populations.
- 3. Description and analysis of reasonable alternatives (including the no action alternative) to the proposed action whenever alternatives are reasonably available and prudent to consider and a discussion of how the alternatives would be implemented:

NO ACTION: Denial of the permit would deny the Hargrave Cattle and Guest Ranch the opportunity to raise game farm elk, primarily as a hobby. It would also allow area wildlife an opportunity to use 55 acres of habitat that would otherwise be excluded to them.

ALTERNATIVE ACTION: The potential significant impacts of the proposed action can be mitigated through the measures listed below.

4. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:

The Licensee must construct all fences, quarantine and holding facilities according to minimum standards as prescribed in ARM 12.6.1503A, 1509 and 1510 (see attachment). In addition:

- The Licensee or Manager must report to FWP the ingress of any game animal or any predators of ungulates (e.g. mountain lion, black bear, wolf or coyote) immediately upon the discovery, and the reason for such ingress.
- 2. FWP reserves the right to require fence/gate modifications (such as, but not limited to, double fencing, electrical outriggers or solid board panels) to those portions of fence when problems with tree or snag blowdowns occur that compromise fence integrity, or when the previously constructed fence may prove to be inadequate to prevent ingress or egress of game animals or game farm animals.

- 3. Applicant must obtain approval of a quarantine facility, or plan, from the Department of Livestock prior to the issuance of a game farm license.
- 4. Applicant must obtain a concentrated feeding operation permit from the Department of Environmental Quality before a game farm license will be issued.

PART III. NARRATIVE EVALUATION AND COMMENT

A review of the license application and elements of this environmental assessment indicate the potential for conflict in the social and physical environments is moderate. By implementing the mitigative measures identified in this document the potential for future problems are considerably reduced. This game farm license is contingent upon the applicant obtaining an approved quarantine facility, or plan, from the Department of Livestock and to obtain a concentrated feeding operation permit from the Department of Environmental Quality.

PART IV. EA CONCLUSION

Based on the significance criteria evaluated in this EA, is an EIS required? YES INO
 No.

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:

The scope of the proposed project is very small (55 acres and 20 animals). Because of the relatively small size of the project and FWP's belief that the threat of animal escape and possible disease transmission can be reduced through the prescribed mitigative measures, and all potentially significant impacts can be reduced to a level below significant impacts, an EIS is not required for this application.

2. Describe the level of public involvement for this project if any and, given the complexity and the seriousness of the environmental issues associated with the proposed action, is the level of public involvement appropriate under the circumstances? (At a minimum, all EAs must be MADE available to the public through the State Bulletin Board System.)

Upon completion of the EA, a notice will be sent to adjoining landowners, the local newspapers, and other potentially affected interests. The notice will explain the project and request input during a 15 - 30 day comment period.

3. Duration of comment period if any:

25-days: September 30 - October 24, 1996

4. Name, title, address and phone number of the Person(s) Responsible for Preparing the EA:

Wildlife Biologist Bruce Sterling PO Box 35 Thompson Falls, MT 59873 (406) 827-4389

REF:HARGRAVE.EA September 27, 1996

GAFARMEA.FRM Rev. 12/95 Game Warden Brian Sommers 490 N. Meridian Road Kalispell, MT 59901 (406) 751-4562





